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CIA asks exemption from freedom of information act
BY IRA ALLEN

The CIA asked Congress Tuesday for exemption from Freedom of Information Act requirements that the agency said could endanger the lives of agents and informants.

But CIA Deputy Director John McMahon told the Senate Intelligence Committee that the proposed exemptions would not apply to information that could reveal cover-ups of illegal behavior by the spy agency, promising "there will not ever again be a repeat of the improprieties of the past."

The CIA was rocked by disclosures in the mid-1970s that it engaged in illegal spying against domestic dissident groups.

The bill sought by the CIA and backed by the administration and committee Chairman Barry Goldwater, R-Ariz., would exempt the agency from having to search its extensive operations files before turning down requests on security grounds.

Showing a picture of a female staffer dwarfed by a 9-foot stack of requested documents, McMahon said the agency has won all but one of 256 court decisions challenging its refusal to disclose information.

But he said the law's requirement that the agency search its files to determine what to protect takes valuable time from agents, could lead to the mistaken release of a name or incident compromising national security and violates the CIA's need to "compartmentalize" its files to prevent one section from learning another's secrets.

"Although, in the case of records gleaned from operational files," McMahon said, "virtually none of this information is released to the requester, security risks remain which are inherent in the review process."

Even when fragmentary information is released, he said, "Those (informants) who have trusted us may lose their reputation, their livelihood, or their lives. The well-being of their families is at stake if one apparently innocuous item falls into hostile hands and turns out to be a crucial lead."

"It is difficult, therefore, to convince one who is secretly cooperating with us that some day he will not awaken to find in a U.S. newspaper or magazine an article that identifies him as a CIA spy."

As a result, McMahon said, there are cases in which the CIA never obtains vital information because of reluctance by sources.

He said the public would benefit by the exemptions by having the backlog of legitimate requests reduced from the current two-to-three-year waiting period.

Sen. Patrick Leahy, D-Vt., a defender of the law as written, said he would have to be convinced that the CIA would not use the exemption to provide less data than it does now.